

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ZACHARY CRUTCHER,)	
)	
Petitioner,)	
)	
v.)	No. CIV-05-32-L
)	
JOHN WHETSEL,)	
)	
Respondent.)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by United States Magistrate Judge Bana Roberts on February 23, 2005, in which she recommended that this action be dismissed due to plaintiff's failure to pay the filing fee, to request leave to proceed *in forma pauperis*, or to show cause for his failure to do so. On February 28, 2005, petitioner filed a Motion for Leave to Proceed In Forma Pauperis. Upon review of the motion, the court finds that petitioner is unable to pay the filing fee and therefore GRANTS petitioner's Motion for Leave to Proceed In Forma Pauperis (Doc. No. 7). This matter is recommitted to Judge Roberts for further proceedings.

It is so ordered this 13th day of June, 2005.



TIM LEONARD
United States District Judge